



Memorandum

To: Honorable Mayor Maso and Members of the Frisco City Council

cc: George Purefoy, City Manager
Ron Patterson, Assistant City Manager
Elizabeth Metting, P.E., Assistant Director / City Engineer
Jason Brodigan, P.E., Senior Civil Engineer

From: John Manganilla, Right-of-Way Agent

Date: April 21, 2009

Subject: Consider and act upon a Resolution authorizing the City Manager to execute a Release of Drainage Easement No. 7 Granted by Gaylord Properties, LP. (Engineering/JM)

Action Requested: Consider and act upon a Resolution authorizing the City Manager to execute a Release of Drainage Easement No. 7 Granted by Gaylord Properties, LP.

Background Information: On October 22, 1998, Gaylord Properties granted the City of Frisco a Drainage Easement. The easement consisted of thirteen locations within the Frisco Bridges development. The easements were required for the construction of the infrastructure improvements being constructed with the Frisco Bridges development. The property owner has now requested that the City release a portion of the original drainage easement.

Drainage Easement No. 7 was originally dedicated to provide a drainage outfall for Parkwood Boulevard, until such time that the adjacent properties were developed and alternate drainage improvements were constructed. In 2007 the adjacent landowner constructed the permanent storm water facilities from Parkwood to just downstream of Avenue of the Stars. The temporary channel was replaced with a 66 inch reinforced concrete pipe and a six by six box culvert system at an alternate location. These improvements have been accepted by the City of Frisco as public storm water facilities.

Staff has reviewed the request and acknowledged that the portion being requested to be released is no longer necessary.

Alternatives: The City Council could consider the following alternatives:

- Approve Resolution;
- Deny Resolution and send back to staff with direction.

Financial Considerations: No funds required.

Legal Review: The City Attorney's office has reviewed and approved this Agreement.

Supporting Documents: Supporting Documents include the following items:

- Resolution
- Release of Drainage Easement– Exhibit "A"
- Original Drainage Easement
- Location Map

Staff Recommendation: Staff recommends approving a Resolution authorizing the City Manager to execute a Release of Drainage Easement No. 7 Granted by Gaylord Properties, LP. Staff will be available during the April 21, 2009 City Council meeting to address questions regarding this item.